IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

Bail Appl..No. 1867 of 2007(M)

Crime No.18/2007 of Anchuthengu Police Station

: PETITIONERS/ACCUSED 1 TO 10

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1. MANIAN, S/O.PATHROSE, AGED 42 YEARS,
MURUKKUVILAKAM, ANCHUTHENGU, KADAKKAVOOR VILLAGE,
CHIRAYINKEEZHU TALUK, THIRUVANANTHAPURAM
DISTRICT.

2. MANI RAJ, S/O.BENADY, AGED 19 YERS,
KOPRAKKOODU, ANCHUTHENGU, KADAKKAVOOR VILLAGE,
CHIRAYINKEEZHU TALUK, THIRUVANANTHAPURAM
DISTRICT.

3. LAWRANCE, S/O.BENADY, AGED 45 YEARS,
ANCHUTHENGU, KADAKKAVOOR VILLAGE,
CHIRAYINKEEZHU TALUK, THIRUVANANTHAPURAM
DISTRICT

4. PATHROSE, S/O.NAZRETH, AGED 45 YEARS,
ANCHUTHENGU, KADAKKAVOOR VILLAGE,
CHIRAYINKEEZHU TALUK, THIRUVANANTHAPURAM
DISTRICT.

5. TITUS, S/O.NAZRETH, AGED 45 YEARS,
ANCHUTHENGU, KADAKKAVOOR VILLAGE,
CHIRAYINKEEZHU TALUK, THIRUVANANTHAPURAM
DISTRICT.

6. SELTON, S/O.TITUS, AGED 28 YEARS,
THERUVATH VEEDU, ANCHUTHENGU,
KADAKKAVOOR VILLAGE, CHIRAYINKEEZHU TALUK,
THIRUVANANTHAPURAM DISTRICT.

7. BABU, S/O.ALPHONSE, AGED 20 YEARS,
KOPRAKKODU, ANCHUTHENGU, KADAKKAVOOR VILLAGE,
CHIRAYINKEEZHU TALUK, THIRUVANANTHAPURAM DISTRICT.

8. RAJU, S/O.NAZRETH, AGED 35 YEARS,
KOPRAKKOODU, ANCHUTHENGU, KADAKKAVOOR VILLAGE,
CHIRAYINKEEZHU TALUK, THIRUVANANTHAPURAM DISTRICT.

9. STEPHEN, S/O.NAZRETH, AGED 40 YEARS, KOPRAKKOODU, ANCHUTHENGU, KADAKKAVOOR VILLAGE, CHIRAYINKEEZHU TALUK, THIRUVANANTHAPURAM DISTRICT.

10. JOHNSON, S/O.LAWRANCE, AGED 20 YEARS, KOPRAKOODU, ANCHUTHENGU, KADAKKAVOOR VILLAGE, CHIRAYINKEEZHU TALUK, THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.D.KISHORE

RESPONDENTS: STATE AND COMPLAINANT
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1. STATE OF KERALA, REPRESENTED BY ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE, ANCHUTHENGU POLICE STATION.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1867 OF 2007

Dated this the 28th day of March, 2007

O R D E R

Petitioners, who are accused Nos.1 to 10 in Crime No.18/2007 of Anchuthengu Police Station for offences punishable under sections 143, 147, 148, 341, 323, 324, 354 and 308 read with section 149 IPC and section 27 of the Arms Act, 1959, seek anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that at about 9.30 a.m. on 28.2.2007 the petitioners armed with deadly weapons like sword, etc. formed themselves into an unlawful assembly and attacked the defacto complainant causing several injuries to him, his wife and two brothers-in-law. The motive for the crime is alleged to be the disinclination of the defacto complainant to oblige their demand to host a party in connection with his going abroad on the next day.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer for interrogation and thereafter to have their application for regular bail considered by the Magistrate concerned expeditiously. Accordingly, the petitioners are directed to surrender

before the Investigating Officer on any day between 2.4.2007 and 4.4.2007 for the purpose of interrogation and recovery of incriminating materials, if any. The petitioners shall, thereafter, be produced on the same day before the Magistrate having jurisdiction. The Magistrate shall consider and dispose of the application for regular bail, if any, filed by the petitioners, preferably on the same date on which such application is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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